Express Mail Label N . EV334228869US

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	CPC-006CN2
	First Named Inventor	Biondi
	Title	A System for Automatically Weaning a Patient from a Ventilator, and Method Thereof

APPLICATION ELEMENTS	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
1. ☒ Fee Transmittal Form	
2. ☐ Small Entity Status ☐ Applicant claims small entity status ☐ Status established in prior application and is still proper and desired	ACCOMPANYING APPLICATION PARTS
3. ☒ Specification and Drawings [Total Pages 65] - Written Description - (44 pages) - Claims - (4 pages) - Abstract - (1 page) - Sheets of Drawings - (16 sheets) ☒ Formal ☒ Informal	8. ☐ 37 CFR 3.73(b) Statement (*when there is an assignee*) ☐ Power of Attorney
	9. ☐ English Translation Document *(if applicable)*
	10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
4. ☐ Oath or Declaration [Total Pages] a. ☐ Newly executed (original) b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 17 completed)* *[Note Box 5 below]*	11. ☐ Preliminary Amendment ☐ Drawings [Total Sheets]
	12. ☒ Return Receipt Postcard (*specifically itemized*)
5. ☐ Incorporation by Reference (usable if Box 4b is checked) The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	13. ☐ Certified Copy of Priority Document(s) (*if foreign priority claimed*)
	14. ☐ Nonpublication Request Under 35 U.S.C. 122(b)
6. ☒ Application Data Sheet	15. ☐ CD in duplicate for large table or computer program
7. ☐ Nucleotide and/or Amino Acid Sequence Submission ☐ Computer Readable Form (CRF) ☐ Paper Copy (identical to computer copy) ☐ CD (2 copies) (identical to computer copy) ☐ Statement verifying identity of above copies	16. ☒ Other: Transmittal of Formal Drawings

17. ☒ **If a CONTINUING APPLICATION:** Amend the specification by inserting on page 1, before the first line, the sentence:
--This is a

☒ continuation ☐ divisional ☐ continuation-in-part of prior application Serial No. 10/260,796, filed on September 30, 2002, which is a continuation of U.S.S.N. 09/767,173, filed on January 22, 2001, now issued as U.S. Patent No. 6,463,930, which is a continuation-in-part of U.S.S.N. 09/660,820, filed on September 13, 2000, now issued as U.S. Patent No. 6,584,973, which is a continuation of U.S.S.N. 09/045,461, filed on March 20, 1998, now issued as U.S. Patent No. 6,158,432, which is a continuation-in-part of U.S.S.N. 08/569,919, filed on December 8, 1995, now issued as U.S. Patent No. 5,931,160, the entire disclosures of which are incorporated by reference herein.--

Priority to the above application(s) is claimed under 35 U.S.C. 120.

Prior application information: Examiner: Mitchell, Teena Kay. Group/Art Unit: 3761.

18. ☐ **Priority - 35 U.S.C. 119**

☐ Priority of application Serial No. _____ filed on _____ in_____ is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S. application Serial No. _____/_____ on _____.

☐ The certified copy will follow.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100 Customer No. 021323	Respectfully submitted, Date: November 17, 2003 Reg. No. 44,244 Tel. No.: (617) 248-7044 Fax No.: (617) 248-7100 Ronda P. Moore Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110

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17497 U.S.PTO 10/716896 111703

17224 U.S. PTO 111703

Express Mail Label No. EV334228869US

FEE TRANSMITTAL
FY 2004

	Complete if Known
Application Serial Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Biondi
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	CPC-006CN2

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
   ☒ Check ☐ Money Order ☐ Other

2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
   - ☐ Required Fees (copy of this sheet enclosed).
   - ☒ Additional fee required under 37 CFR 1.16 and 1.17.
   - ☒ Overpayment Credit.

3. ☐ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity Fee ($)	Fee Description	Fee Paid
770	Utility filing fee	770.00
340	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	14	- 20 = 0	x $ 18.00 =	0.00
Independent Claims	3	- 3 = 0	x $ 86.00 =	0.00
☐ Multiple Dependent Claim(s), if any			$290.00 =	
			TOTAL:	770.00
			SMALL ENTITY DISCOUNT:	0.00
			SUBTOTAL (1) ($)	770.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x $ 18.00 =	
Indep.	-	=	x $ 86.00 =	
☐ First Presentation of Multiple Dep. Claim			+ $290.00 =	
			TOTAL: ($)	
			SMALL ENTITY DISCOUNT: ($)	
			SUBTOTAL (2) ($)	0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee ($)	Small Entity Fee ($)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) ($) 0.00

SUBTOTAL (1)	770.00
SUBTOTAL (2)	0.00
SUBTOTAL (3)	0.00
TOTAL ($)	770.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
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High Street Tower-125 High Street
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SIGNATURE BLOCK

Respectfully submitted,

Date: November 17, 2003
Reg. No.: 44,244
Tel. No.: (617) 248-7044
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PATENT
Attorney Docket No. CPC-006CN2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Biondi *et al.*		
SERIAL NO.:	Not yet assigned	GROUP NO.:	Not yet assigned
FILING DATE:	Herewith	EXAMINER:	Not yet assigned
TITLE:	A System for Automatically Weaning a Patient from a Ventilator, and Method Thereof		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Enclosed please find 16 sheets of formal drawings corresponding to FIGS. 1-5, 6, 6a, and 7-17, for the above-referenced patent application..

Respectfully submitted,

Date: November 17, 2003
Reg. No. 44,244

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